

## **9.14.00.00 - DEPOSIT RELEASES**

### **9.14.01.00      Responsibility for Release of Deposit**

The DDC-RW is responsible for the prompt release of deposits. The District should review the status of these deposits periodically to ensure release immediately following the vesting of the property in the State, regardless of whether title was acquired through Court proceeding or by deed.

### **9.14.02.00      Release of Deposits after Filing of Suit**

Whenever a parcel is settled, either out of Court or by Judgment in Condemnation, any condemnation deposit shall be released through an Order for Release of Deposit. Where a portion of the deposit has been withdrawn by owner, the balance on deposit shall also be released through the procedure outlined above.

The Regional Legal Office may occasionally advise the District not to request a release of deposit after Judgment in Condemnation because of further legal proceedings.

### **9.14.03.00      Release of Deposits Prior to Filing of Suit**

A condemnation deposit on a parcel canceled or closed prior to a suit being filed cannot be released by Court Order since there is no court jurisdiction. These deposits are shown as "pending" on the

monthly list of unreleased condemnation deposits and are released by the State Controller only upon the District's affidavit that a final settlement has been reached and Grantor(s) is/are seeking no further claims.

Requests to release these deposits are processed through the Accounting Service Center, Cashiering Unit.

The standard release request form, RW 9-21, Release of Condemnation Deposit, contains the necessary language for the District's affidavit; necessary explanatory data is added in the appropriate boxes. In addition, for stipulated and court-ordered judgments, two court-certified copies of the Request and Order for Release of Deposit must be included.

### **9.14.04.00      Processing of Order for Release of Deposit**

The District shall transmit the Release of Condemnation Deposit (RW 9-21) and two certified copies of the Order for Release of Deposit, if applicable, to the Accounting Service Center, Cashiering Unit, for processing. Accounting arranges for the transfer of the deposit from the Condemnation Deposits Fund to the State Transportation Fund. After this transfer has been made, a closing report is returned to the District to confirm the deposit has been released.

**NOTES:**